

Docket No.: PF-0169-2 CON

Certificate of Transmission

I hereby certify that this paper is being facsimile transmitted to the attention of Examiner David S. Romeo, Group Art Unit 1647,
U.S. Patent and Trademark Office to Facsimile No. (703) 872-9306 on October 29, 2003.

By: [Signature] Printed: Lyza Fimiliar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bandman et al.

Title: LUNG GROWTH FACTOR VARIANT

Serial No.: 09/938,885

Filing Date: August 24, 2001

Examiner: Romeo, D.

Group Art Unit: 1647

Mail Stop: Non-Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FEE TRANSMITTAL SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Response to Restriction Requirement (10 pp.).

The fee has been calculated as shown below.

Claims	Claims After Amendment	-	Claims Previously Paid For	-	Present Extra	Other Than Small Entity Rate	Fee	Additional Fee(s)
Total	20	-	20	-	0	x\$18.00	0	\$ 0
Indept.	3	-	3	-	0	x\$86.00	0	\$ 0
First Presentation of Multiple Dependent Claims:						+290.00	0	\$ 0
Total Fee:								\$ 0

☒ No additional Fee is required.☐ Please charge Deposit Account No. 09-0108 in the amount of :

\$ _____

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

INCYTE CORPORATION

Date: October 29, 2003[Signature]

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RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. 121

Sir:

This paper is responsive to the Restriction Requirement and Request for Election dated September 29, 2003, setting a 1-month term for response. Prior to examination of the application, please amend the claims of the above-identified application as listed below.